

ADAM PAUL LAXALT
Nevada Attorney General
FRANK A. TODDRE II
Deputy Attorney General
Nevada Bar No. 11474
E-mail: ftoddre@ag.nv.gov
Public Safety Division
555 E. Washington Ave., Ste. 3900
Las Vegas, NV 89101
P: (702) 486-3149
F: (702) 486-3773
Attorneys for Defendants

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ROY BELL,)	Case No.: 2:14-cv-00476-RFB-NJK
)	
Plaintiff,)	
)	
vs.)	ORDER GRANTING
)	MOTION TO VACATE AND
THE STATE OF NEVADA, et al.,)	CONTINUE THE APRIL 22, 2016
)	SETTLEMENT CONFERENCE
Defendants.)	

Defendants, Dr. Romeo Aranas, Dr. Robert Bruce Bannister, Dr. Joyce Chang, Dr. James Holmes, and Cynthia Sablica, by and through counsel, ADAM PAUL LAXALT, Attorney General of the State of Nevada, and FRANK A. TODDRE II, Deputy Attorney General, hereby submit this Motion to Vacate the April 22, 2016, Mediation Conference. (Dkt. #59)

MEMORANDUM OF POINTS AND AUTHORITIES

On February 16, 2016, this Court issued an Order setting a Mediation Conference in this case for April 22, 2016, at 9:30 am. (Dkt. #59). However, the undersigned, Frank Toddre II, is already scheduled to be in trial on the matter of *Reginald Howard vs S. Foster, et al.*, Case No. 2:13-cv-01368-RFB-NJK, which starts on April 19. (Dkt. #39 Minute Order). Further, Nancy Katafias, the Tort Claims Manager for the Office of the Attorney General, is already scheduled to be at a separate Early Mediation Conference on this same date.¹ Thus, Defendants request that this Court reschedule the April 22, 2016, Mediation Conference. Counsel has also drafted a

¹ Ms. Katafias is the person with authority to settle cases on behalf of the State of Nevada

1 letter to Plaintiff advising him of the Defendants' intention to move for a continuance. As of the
2 filing of this Motion, Defendants, including Ms. Katafias, are available on the following dates:

- 3 • Friday, May 27, 2016, at 9:00 a.m.;
- 4 • Friday, June 3, 2016, at 9:00 a.m. or 1:00 p.m.;
- 5 • Friday, June 10, 2016, at 9:00 a.m. or 1:00 p.m.;
- 6 • Friday, June 17, 2016, at 9:00 a.m. or 1:00 p.m.;
- 7 • Friday, June 24, 2016, at 9:00 a.m. or 1:00 p.m.;

8 The Court Order provides that any request to change the date of the settlement
9 conference must be filed within seven days of the issuance of the Order and provides that the
10 moving party includes at least five alternative dates. This request is timely and provides the
11 requested alternative dates.

12 DATED this 18th day of February, 2016.

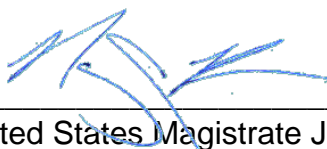
13 Respectfully submitted,

14 ADAM PAUL LAXALT
15 Nevada Attorney General

16 By: /s/ Frank A. Toddre II
17 FRANK A. TODDRE II
18 Deputy Attorney General
19 Nevada State Bar No. 11474
20 *Attorneys for Defendants*

21 This motion is GRANTED, and the settlement conference is
22 hereby CONTINUED to 9:30 a.m. on June 3, 2016.
23 Settlement statements shall be submitted by May 20, 2016.
24 All other requirements in Docket No. 59 continue to apply.
25 IT IS SO ORDERED.

26 Dated: February 18, 2016

27 
28 United States Magistrate Judge